

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:09-cr-181-007
vs.)	
)	
TIMOTHY DAVIS)	COLLIER/CARTER

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on September 14, 2010, in accordance with Rule 46(c) of the Federal Rules of Criminal Procedure and 18 U.S.C. §§ 3143 and 3148 on the Petition for Action on Conditions of Pretrial Release. Those present for the hearing included:

- (1) AUSA Scott Winne for the USA.
- (2) The defendant, Timothy Davis.
- (3) Attorney Stephen Goldstein for defendant.
- (4) U.S. Pretrial Services Officer Daniel Haimelin.
- (5) Deputy Clerk Kelli Jones.

After being sworn in due form of law the supervised releasee was informed or reminded of her privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

The petition alleged the defendant had contact with a known witness in the case in violation of condition 8(j) of the pretrial release order. Defense counsel had conferred with the government and pretrial prior to the hearing and explained that the contact was a result of miscommunication between counsel and the defendant related to locating a witness. The Court concludes that the contact was inadvertent but reminded Defendant of the importance of following the conditions.

Based on this, the Court concludes Defendant should remain on the same conditions of pretrial release. The government does not oppose this resolution. It is therefore,
ORDERED, the Defendant shall continue on the same conditions of bond.

ENTER.

/s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE